

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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WACHOVIA SECURITIES, LLC, a Delaware  
Corporation and successor in interest to  
A.G. Edwards & Sons, Inc.,

Plaintiff,

ORDER

08-CV-6303L

v.

DALE H. ENGLEHARDT, a natural person,

Defendant.

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This Court signed a Temporary Restraining Order (“TRO”) against defendant, Dale H. Englehardt (“Englehardt”), based on the *ex parte* submissions of plaintiff. The next day, July 10, 2008, defendant filed a motion (Dkt. #5) to dissolve the TRO. That motion is granted.

After reviewing all of the submissions, I share defendant’s concern that some relevant and pertinent information was not submitted to the Court as part of plaintiff’s application. The information relates to the document referenced by defendant, the Protocol for Broker Recruiting. I think it best that we have a full discussion on the record, if necessary, on July 23, 2008 at 3:30 p.m., to fully explore the matter before an injunction should issue.

CONCLUSION

Defendant's motion (Dkt. #5) to dissolve the Temporary Restraining Order is granted and the Temporary Restraining Order issued by this Court on July 9, 2008, is vacated.

IT IS SO ORDERED.

  
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DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
July 11, 2008.